

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RACHELLE RIDOLA,
 Plaintiff,

v.

MOTEL 6 OPERATING L.P., et al.,
 Defendants.

Case No. 16-cv-01111-BLF

**ORDER DECLINING TO RELATE
 CASES**

[Re: ECF 13]

On April 29, 2016, Defendants filed a Notice of Related Cases “solely for the purpose of complying with Local Rule 3-12,” indicating that the present case is related to a later-filed action, *Ridola v. G6 Hospitality Property LLC, et al.*, Case No. 16-cv-02038-EJD. Defs.’ Notice of Related Cases, ECF 13.

Local Rule 3-12 provides in relevant part that:

Whenever a party knows or learns that an action, filed or removed to this district is (or the party believes that the action may be) related to an action which is or was pending in this District as defined in Civil L.R. 3-12(a), the party must promptly file in the lowest-numbered case an Administrative Motion to Consider Whether Cases Should be Related, pursuant to Civil L.R. 7-11.

Civ. L.R. 3-12(b). Defendants did not comply with this provision, as they did not file an administrative motion for determination of related case status, but instead filed a Notice of Related Cases. However, since Defendants’ Notice states expressly that it is filed pursuant to Civil Local Rule 3-12, the Court construes the Notice as the required administrative motion.

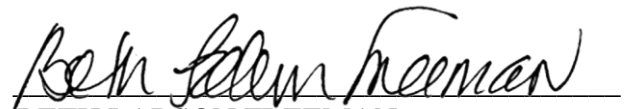
While the parties are the same in both cases, the case before this Court is based upon alleged barriers to access for disabled persons at a motel located in Campbell, California while the later-filed action is based upon alleged barriers to access at a motel located in San Jose, California. Plaintiff stayed at the motels on different dates and the barriers encountered at the two motels are

1 not identical. Because the issues and evidence will be different in each case, it does not appear
2 “likely that there will be an unduly burdensome duplication of labor and expense or conflicting
3 results if the cases are conducted before different Judges” as required for a determination of
4 related case status. Civ. L.R. 3-12(a)(2).

5 The Court DECLINES TO RELATE the cases.

6 **IT IS SO ORDERED.**

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8 Dated: May 9, 2016

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10 BETH LABSON FREEMAN
United States District Judge

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United States District Court
Northern District of California